

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIFFANY WATTS,

Defendant.

CASE NO. CR19-0201-JCC

ORDER

This matter comes before the Court on the Government's unopposed motion to continue trial (Dkt. No. 35). Having thoroughly considered the motion and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

On October 17, 2019, Defendant was charged by indictment with bank fraud and aggravated identity theft. (Dkt. No. 1.) Trial is currently scheduled for April 26, 2021. (Dkt. No. 32.) The Government moves to continue the trial to July 26, 2021 and the pretrial motions deadline to July 1, 2021. Defendant has filed a speedy trial waiver (Dkt. No. 34) through July 30, 2021.

The Government suggests a continuance is necessary based upon the continued impact of the COVID-19 pandemic on the Court's operations. (Dkt. No. 35 at 1–3.) Specifically, the pandemic has made it difficult for the Court to obtain an adequate spectrum of jurors to represent a fair cross section of the community, and public health guidance has impacted the ability of

1 jurors, witnesses, counsel, and Court staff to be present in the courtroom. (*See* General Orders
2 01-20, 02-20, 07-20, 08-20, 11-20, 13-20, 15-20, 18-20, 04-21 each of which the Court
3 incorporates by reference.) As a result, the Court has been unable to conduct any criminal trials
4 in the courthouse since March 2020. Although the availability of a vaccine makes it likely that
5 the Court will be able to resume in-person criminal trials in May 2021, the Court will continue to
6 be limited by public health measures, such as limits on the number of people in the courthouse
7 and courtrooms, which will limit the Court's ability to try cases as efficiently as it would absent a
8 pandemic. *See* General Order 04-21 at 2.

9 Having thoroughly considered the briefing and the relevant record, the Court FINDS that
10 the ends of justice served by granting a continuance outweigh the best interests of Defendant and
11 the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

- 12 1. The COVID-19 pandemic has made it difficult for the Court to obtain an adequate
13 spectrum of jurors to represent a fair cross section of the community, which would
14 likely make proceeding on the current case schedule impossible or would result in a
15 miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(i).
- 16 2. Public health guidance has impacted the ability of jurors, witnesses, counsel, and
17 Court staff to be present in the courtroom. Therefore, proceeding with the current trial
18 date would likely be impossible or would result in a miscarriage of justice. *See* 18
19 U.S.C. § 3161(h)(7)(B)(i).

20 Accordingly, the Court ORDERS:

- 21 1. The April 26, 2021 jury trial is CONTINUED to July 26, 2021.
- 22 2. The pretrial motions deadline is CONTINUED to July 1, 2021.
- 23 3. The period from the date of this order up to and including July 26, 2021 is an
24 excludable time period under 18 U.S.C. § 3161(h)(7)(A).

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1 DATED this 8th day of April 2021.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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